



Agenda

Economics Institute for State Attorneys General

Sunday, October 15 – Wednesday, October 18, 2023

Sunday, October 15

3:30 – 4:00 pm

Registration

4:00 – 5:00 pm

Class 1: The Economic Way of Thinking

Henry N. Butler, Henry G. Manne Professor of Law and Economics and
Chairman, Law & Economics Center, George Mason University Antonin Scalia Law School

Reading Assignment:

Chapter I: The Economics Perspective: Incentives Matter, in HENRY N. BUTLER, ET AL., ECONOMIC ANALYSIS FOR LAWYERS 3-53 (3rd ed. 2014).

Case Discussion:

Peevyhouse v. Garland Coal & Mining Co., 382 P.2d 109 (Okla. 1962): 69-73.

5:00 – 5:15 pm

Break

5:15 – 6:30 pm

Class 2: Supply, Demand, and Mutually-Beneficial Exchange

John M. Yun, Associate Professor of Law and Executive Director, Global Antitrust Institute, George Mason University Antonin Scalia Law School

Reading Assignment:

HENRY N. BUTLER ET. AL., *Chapter II: Markets and the Price System*, in ECONOMIC ANALYSIS FOR LAWYERS 55-79, (3rd ed. 2014).

6:30 pm

Welcome Reception & Dinner

The History of the Law & Economics Center | Butler

Monday, October 16

6:30 – 7:30 am

Breakfast

7:30 – 8:00 am

Walk from hotel to Antonin Scalia Law School

8:00 – 9:15 am

Class 3: Markets in Action

James C. Cooper, Professor of Law; Director, Program on Economics & Privacy,
George Mason University Antonin Scalia Law School

Reading Assignment:

Chapter II: Markets and the Price System, in HENRY N. BUTLER, ET AL., ECONOMIC ANALYSIS FOR LAWYERS 62-72, 89-108 (3rd ed. 2014).

Case Discussion:

Complaint, *State v. Medina* (Fla. Cir. Ct. 2005). *M. Kraus & Bros., Inc. v. United States*, 327 U.S. 614 (1945): 99-104.

9:15 – 9:30 am	Break
9:30 – 10:45 am	<p>Class 4: Market Dynamics Yun</p> <p><u>Reading Assignment:</u> <i>Chapter II: Markets and the Price System</i>, in Henry N. Butler, et al., <u>Economic Analysis for Lawyers</u> 62-72, 89-108 (3rd ed. 2014).</p> <p><u>Case Discussion:</u> <i>Competitive Enterprise Institute v. NHTSA</i>, 956 F.2d 321 (1992): 89-98.</p>
10:45 – 11:00 am	Break
11:00 am – 12:15 pm	<p>Class 5: The History, Evolution, and Perils of Regulation</p> <p>Douglas H. Ginsburg, Judge, US Court of Appeals for the District of Columbia Circuit; Professor of Law, George Mason University Antonin Scalia Law School</p> <p><u>Reading Assignment:</u> Cary Coglianese, <i>The Law and Economics of Risk Regulation</i>, Institute for Law and Economics, (2020).</p> <p>Richard A. Posner, <i>Theories of Economic Regulation</i>, RAND Corporation, (1974).</p>
12:15 – 1:00 pm	Lunch
12:30 – 2:15 pm	<p>Class 6: Property Rights, Externalities, and the Coase Theorem Butler</p> <p><u>Reading Assignment:</u> <i>Chapter I: The Economics Perspective: Incentives Matter and Chapter IV: Externalities</i>, in HENRY N. BUTLER, ET AL., <u>ECONOMIC ANALYSIS FOR LAWYERS</u> 17-32, 185-229 (3rd ed. 2014).</p> <p><u>Case Discussion:</u> <i>Wronski v. Sun Oil</i>, 279 N.W.2d 564 (1979): 22-24.</p>
2:15 – 2:30 pm	Break
2:30 – 3:45 pm	<p>Class 7: Property Rights and Exchange</p> <p>Erin E. Meyers, Assistant Professor of Law, George Mason University Antonin Scalia Law School</p> <p><u>Reading Assignment:</u> <i>Chapter I: The Economics Perspective: Incentives Matter and Chapter IV: Externalities</i>, in HENRY N. BUTLER, ET AL., <u>ECONOMIC ANALYSIS FOR LAWYERS</u> 17-32, 185-229 (3rd ed. 2014).'</p> <p><u>Case Discussion:</u> <i>Fountainbleau Hotel Corp. v. Forty-Five Twenty-Five, Inc.</i>, 114 So. 2d 357 (1959): 30-33. <i>Spur Industries, Inc. v. Del E. Webb Development Co.</i>, 494 P.2d 700 (1972): 213-217</p>

Tuesday, October 17

6:30 – 7:30 am **Breakfast**

7:30 – 8:00 am **Walk from hotel to Antonin Scalia Law School**

8:00 – 8:05 am **Welcome**

Ken Randall, Allison and Dorothy Rouse Dean and George Mason University Foundation Professor of Law, George Mason University Antonin Scalia Law School

8:05 am – 9:15 am **Class 8: Competition and Monopoly | Yun**

Reading Assignment:

Chapter IX: Market Structure and Antitrust, in HENRY N. BUTLER, ET AL., ECONOMIC ANALYSIS FOR LAWYERS 481-562 (3rd ed. 2014) (skim entire chapter).

9:15 – 9:30 am **Break**

9:30 – 10:45 am **Class 9: Cartels and Predatory Pricing | Butler**

Reading Assignment:

Chapter I: The Economics Perspective: Incentives Matter, in HENRY N. BUTLER, ET AL., ECONOMIC ANALYSIS FOR LAWYERS 45-51 (3rd ed. 2014).

Case Discussion:

Matsushita Elec. Indus. Co. v. Zenith Radio Corp., 475 U.S. 574 (1986): 12–17, 515-517.

10:45 – 11:00 am **Break**

11:00 am – 12:15 pm **Class 10: Public Choice Economics**

Nuno Garoupa, Professor of Law and Faculty Director of Graduate Studies, George Mason University Antonin Scalia Law School

Reading Assignment:

Chapter III: The Legislative Process and the Courts and Chapter IX: Market Structure and Antitrust, in HENRY N. BUTLER, ET AL., ECONOMIC ANALYSIS FOR LAWYERS 130-147, 517-523 (3rd ed. 2014).

Case Discussion:

City of Columbia v. Omni Outdoor Advertising, Inc., 499 U.S. 365 (1991): 137-142.
West Lynn Creamery, Inc. v. Healy, 512 U.S. 186 (1994): 142-147.

12:15 – 1:15 pm **Lunch**

1:15 – 2:30 pm **Class 11: The Economics of Information | Butler**

Reading Assignment:

Chapter V: Information Costs and Transaction Costs, in HENRY N. BUTLER, ET AL., ECONOMIC ANALYSIS FOR LAWYERS 233-263 (3rd ed. 2014).

2:30 – 2:45 pm **Break**

2:45 – 4:00 pm **Class 12: Labor Markets – Risk, Injury, and Compensating Wage Differentials | Garoupa**

Reading Assignment:

Chapter VIII: Labor Markets, in HENRY N. BUTLER, ET AL., ECONOMIC ANALYSIS FOR LAWYERS 421-477 (3rd ed. 2014) (skim).

4:00 – 4:15 pm **Break**

4:15 – 5:30 pm **Class 13: Application of the Economics of Information: Advertising and Privacy | Cooper**

Reading Assignment:
Chapter V: Information Costs and Transaction Costs, in HENRY N. BUTLER, ET AL., ECONOMIC ANALYSIS FOR LAWYERS 233-244 (3rd ed. 2014).

Wednesday, October 18

6:30 – 7:30 am **Breakfast**

7:30 – 8:00 am **Walk from hotel to Antonin Scalia Law School**

8:00 – 9:15 am **Class 14: Agency Costs and Contracting | Garoupa**

Reading Assignment:
Chapter V: Information Costs and Transaction Costs, in HENRY N. BUTLER, ET AL., ECONOMIC ANALYSIS FOR LAWYERS 241-263 (3rd ed. 2014).

Case Discussion
Corenswet, Inc. v. Amana Refrigeration Inc., 594 F.2d 129 (1979): 254-266.

9:15 – 9:45 am **Break**

9:45 – 11:00 am **Class 15: Risk, Injury, and Liability | Garoupa**

Reading Assignment:
Chapter VI: Risk, in HENRY N. BUTLER, ET AL., ECONOMIC ANALYSIS FOR LAWYERS 291-361 (3rd ed. 2014).

Case Discussion:
United States v. Carroll Towing Co., 159 F.2d 169 (1947): 328–335.

11:00 – 11:15 am **Break**

11:15 am – 12:30 pm **Class 16: The History and Future of Antitrust Enforcement | Ginsburg**

Reading Assignment:
Aurelien Portuese, *Biden Antitrust: The Paradox of the New Antitrust Populism*, *George Mason Law Review*, (2022).

12:30 pm **Program Adjourns**